

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS and VERIZON CORPORATE
SERVICES GROUP, INC.,

Defendants.

Civil Action No. 2:23-cv-00352-JRG-RSP

HEADWATER RESEARCH LLC,

Plaintiff,

v.

Civil Action No. 2:23-cv-00377-JRG-RSP

T-MOBILE USA, INC., and SPRINT CORP.,

Defendants.

HEADWATER RESEARCH LLC,

Plaintiff,

v.

Civil Action No. 2:23-cv-00397-JRG-RSP

AT&T INC. AT&T SERVICES, INC., AT&T
MOBILITY, LLC, and AT&T CORP.,

Defendants.

**JOINT MOTION TO ADJUST RESPONSE AND REPLY DEADLINES FOR PENDING
AND FORTHCOMING MOTIONS**

Plaintiff Headwater Research LLC (“Headwater”) and Defendants Cellco Partnership d/b/a
Verizon Wireless, Verizon Corporate Services Group, Inc. (collectively, “Verizon”), Defendants

T-Mobile USA, Inc. and Sprint Corp. (collectively, “T-Mobile”), and Defendants AT&T Inc., AT&T Services, Inc., AT&T Mobility, LLC, and AT&T Corp. (collectively, “AT&T”) (collectively, the “Parties”) respectfully file this Joint Motion to Adjust the Response and Reply Deadlines for Pending and Forthcoming Motions and would show the Court as follows:

The current deadlines for Headwater to respond to Verizon’s, T-Mobile’s, and AT&T’s Motions for Sanctions Under FRCP 37(e)(1) (Verizon Dkt. 164, T-Mobile Dkt. 163, AT&T Dkt. 118) are April 2, 2025, April 3, 2025, and April 8, 2025, respectively. At this time, the Parties request a brief adjustment of the briefing schedule and request an extension of Headwater’s response deadline to April 8, 2025 in the Verizon and T-Mobile cases and to extend Verizon, T-Mobile, and AT&T’s reply deadline to April 21, 2025.

Additionally, the current deadline for Verizon, T-Mobile, and AT&T to reply to any of their forthcoming motions for summary judgment and motions to strike expert testimony, including *Daubert* motions, is April 23, 2025. At this time, the Parties request a brief extension of the due date of Verizon’s, T-Mobile’s, and AT&T’s replies to April 30, 2025.

The Parties request a brief extension of the above deadlines to align the briefing schedules of the Motions for Sanctions and to avoid unnecessary conflicts between the briefing schedules for the Motions for Sanctions and the forthcoming dispositive motions and motions to strike expert testimony.

The Parties represent that this Motion is not filed for the purposes of delay but rather so that justice may be served. The Parties have corresponded and are jointly seeking the relief sought in this Motion.

Accordingly, the Parties respectfully request that the Court grant this Joint Motion.

Dated: March 28, 2025

/s/ *Marc Fenster*

CA State Bar No. 181067
Email: mfenster@raklaw.com
Reza Mirzaie
CA State Bar No. 246953
Email: rmirzaie@raklaw.com
Brian Ledahl
CA State Bar No. 186579
Email: bledahl@raklaw.com
Ben Wang
CA State Bar No. 228712
Email: bwang@raklaw.com
Adam Hoffman
CA State Bar No. 218740
Email: ahoffman@raklaw.com
Dale Chang
CA State Bar No. 248657
Email: dchang@raklaw.com
Paul Kroeger
CA State Bar No. 229074
Email: pkroeger@raklaw.com
Neil A. Rubin
CA State Bar No. 250761
Email: nrubin@raklaw.com
Kristopher Davis
CA State Bar No. 329627
Email: kdavis@raklaw.com
James S. Tsuei
CA State Bar No. 285530
Email: jtsuei@raklaw.com
Philip Wang
CA State Bar No. 262239
Email: pwang@raklaw.com
Jason M. Wietholter
CA State Bar No. 337139
Email: jwietholter@raklaw.com
Qi (Peter) Tong
TX State Bar No. 24119042
Email: ptong@raklaw.com

RUSS AUGUST & KABAT
12424 Wilshire Blvd., 12th Floor
Los Angeles, CA 90025
Telephone: 310-826-7474

Andrea L. Fair

/s/ *Josh A. Krevitt*

Josh A. Krevitt
jkrevitt@gibsondunn.com
Katherine Q. Dominguez
kdominguez@gibsondunn.com
Brian Rosenthal
brosenthal@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: (212) 351-4000
Facsimile: (212) 351-4035

Robert Vincent
rvincent@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, Texas 75201-2923
Telephone: (214) 698-3100
Facsimile: (214) 571-2900

Andrew Robb
arobb@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
310 University Avenue
Palo Alto, CA 94301
Telephone: (650) 849-5300

Deron R. Dacus
ddacus@dacusfirm.com
THE DACUS FIRM, P.C.
821 ESE Loop 323, Suite 430
Tyler, TX 75701
Phone: 903.705.1117

Attorneys for Verizon

/s/ *Josh A. Krevitt*

Josh A. Krevitt
jkrevitt@gibsondunn.com
Katherine Q. Dominguez
kdominguez@gibsondunn.com
Brian Rosenthal
brosenthal@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue

MILLER FAIR HENRY PLLC
1507 Bill Owens Parkway
Longview, Texas 75604
Telephone: 903-757-6400
andrea@millerfairhenry.com

*Attorneys for Plaintiff
Headwater Research LLC*

New York, NY 10166-0193
Telephone: (212) 351-4000
Facsimile: (212) 351-4035

Robert Vincent
rvincent@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, Texas 75201-2923
Telephone: (214) 698-3100
Facsimile: (214) 571-2900

Andrew Robb
arobb@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
310 University Avenue
Palo Alto, CA 94301
Telephone: (650) 849-5300

Melissa R. Smith
Texas Bar No. 24001351
melissa@gilliamsmithlaw.com
GILLIAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: 903-934-8450
Facsimile: 903-934-9257

Attorneys for T-Mobile

/s/ Nicholas Mathews
Nicholas Mathews
Texas State Bar No. 24085457
nmathews@McKoolSmith.com
Alexander J. Chern
Texas State Bar No. 24109718
achern@McKoolSmith.com
Clare Churchman
Texas State Bar No. 24132041
cchurchman@mckoolsmith.com
MCKOOL SMITH, P.C.
300 Crescent Court Suite 1500
Dallas, TX 75201
Telephone: (214) 978-4000
Telecopier: (214) 978-4044

Kevin Hess
Texas State Bar No. 24087717
khess@mckoolsmith.com
MCKOOL SMITH, P.C.
303 Colorado Street, Suite 2100
Austin, TX 78701
Telephone: (512) 692-8752

Deron R. Dacus
State Bar No. 00790553
ddacus@dacusfirm.com
THE DACUS FIRM, PC
821 ESE Loop 323, Suite 430
Tyler, TX 75701
Telephone: (903)705-1117
Facsimile: (903) 581-2543

Attorneys For AT&T

CERTIFICATE OF CONFERENCE

I hereby certify that, on March 28, 2025, counsel for Verizon, T-Mobile, and AT&T conferred with counsel for Plaintiff and that this Joint Motion is unopposed.

/s/ Nicholas Mathews
Nicholas Mathews

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

/s/ Nicholas Mathews
Nicholas Mathews